

**Federal Defenders
OF NEW YORK, INC.**

Southern District
52 Duane Street-10th Floor, New York, NY 10007
Tel: (212) 417-8700 Fax: (212) 571-0392

David E. Patton
Executive Director
and Attorney-in-Chief

Southern District of New York
Jennifer L. Brown
Attorney-in-Charge

December 4, 2020

BY EMAIL TO CHAMBERS
EX PARTE & REQUEST TO FILE UNDER SEAL

The Honorable Jesse M. Furman
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

RE: United States v. Michael Avenatti
19 Cr. 374 (JMF)

Dear Judge Furman:

Enclosed please find a sworn affirmation from Michael Avenatti confirming that there have been no material changes to his financial condition bearing on his eligibility for court-appointed counsel. Mr. Avenatti does wish to note that he recently sued Fox News and certain of its on-air talent for defamation, and that the case remains in its early stages. See Michael Avenatti v. Fox News Network LLC et al., 20-cv-01541 (D. Del.). Because Mr. Avenatti's underlying CJA 23 Form and accompanying affidavit remain under seal, and for the reasons set forth in our motion to keep Mr. Avenatti's sworn statements about his finances sealed, we respectfully submit this letter and enclosure ex parte and request leave to file them under seal.

Respectfully Submitted,

_____/s/_____
Robert M. Baum
Tamara Giwa
Andrew J. Dalack
Assistant Federal Defenders

Counsel for Michael Avenatti

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

UNITED STATES OF AMERICA :

- V - :

EX PARTE AFFIRMATION
19 Cr. 374 (JMF)

MICHAEL AVENATTI, :

Defendant. :

-----X

I, Michael Avenatti, hereby affirm under penalty of perjury, pursuant to 28 U.S.C. § 1746, as follows:

1. I am the defendant in the above-captioned case. I make this affirmation in compliance with the Court's directive dated August 7, 2020 that I inform the Court every four months of any material changes to my financial condition that could bear on my eligibility for court-appointed counsel.

2. Since the Court granted my request for the appointment of counsel on August 7, 2020 (based on my sworn financial statement and accompanying affidavit) there have been no material changes to my financial condition to the best of my knowledge.

DATED: December 4, 2020
Los Angeles, CA



MICHAEL AVENATTI